

# PATENT COOPERATION TREATY

From the:  
INTERNATIONAL SEARCHING AUTHORITY

To:

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## PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference  
119375/TLW

Date of mailing (day/month/year) **1 8 AUG 2004**

**FOR FURTHER ACTION**  
See paragraph 2 below

International application No.  
**PCT/AU2004/000880**

International filing date (day/month/year)  
**2 July 2004**

Priority date (day/month/year)  
**3 July 2003**

International Patent Classification (IPC) or both national classification and IPC

Int. Cl. <sup>7</sup> **G06K 9/00 H04L 9/00 G06F 17/60 G06F 159/00 G06F 17/30**

Applicant

**ARGUS SOLUTIONS PTY LTD et al**

**1. This opinion contains indications relating to the following items:**

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

**2. FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

**3. For further details, see notes to Form PCT/ISA/220.**

Name and mailing address of the IPEA/AU  
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**WRITTEN OPINION OF THE  
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International application No.

**PCT/AU2004/000880**

<b>Box No. I</b>	<b>Basis of the opinion</b>
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1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing  
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format  
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 1-23	YES
	Claims 24	NO
Inventive step (IS)	Claims None	YES
	Claims 1-24	NO
Industrial applicability (IA)	Claims 1-24	YES
	Claims	NO

2. Citations and explanations:

WO 02/32308 (D1)

WO 02/35480 (D2)

WO 00/31677 (D3)

EP 991027 (D4)

Derwent Abstract Accession No. 02-212675 (D5)

WO 2003036424 (D6)

NOVELTY

Claim 24

D1 discloses the following features of independent claim 24:

An electronic message for transmission from a biometric capture apparatus to a computer during a computerised identity matching process, the electronic message comprising a captured image of a potential receiver of the asset, the captured image encoded with the unique code obtained from the computer.

D1 does not disclose that the identity matching process is for regulating the issue of an asset or the return of an asset. However, it would clearly be suitable for such a purpose and thus could be used for such a purpose.

Thus claim 24 is not novel over D1.

INVENTIVE STEP

Claims 1-23 do not involve an inventive step over D1 alone or in combination with any one of D2-D6. It would be obvious to combine these documents, since they all relate to authorisation means involving biometrics.

Claims 1, 8 and 15

D1 discloses all of the features of the middle part of claim 1, namely:

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**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

a management computer receiving a request, from capture apparatus waiting to commence a capture process of a biometric representative of the issuer of the asset or the receiver of the asset, to initiate the capture process;

the management computer responding to the request by returning a message to the capture apparatus, the message containing a unique code and receipt of the message containing the code at the capture apparatus causing initiation of the capture process;

the capture apparatus encoding a captured biometric representative of the issuer of the asset or representative of the receiver of the asset with the code;;

the management computer, after returning the message, receiving the encoded captured biometric; and

the management computer decoding the captured biometric and initiating a matching process to find a match for the decoded captured biometric against stored records and generating an identification code representative of the issuer of the asset or representative of the receiver of the asset when a match is found.

The above features are also defined in independent claims 8 and 15.

The other features of claim 1 are:

a computerised identity matching management process for regulating the issue of secure assets, the process comprising the steps of:

identifying an asset having a unique classification identifier;

identifying an issuer of the asset and a receiver of the asset;

retrieving a receiver's privilege to determine whether the receiver's privilege matches the asset classification identifier and, if a match is determined

issuing the asset and recording information to form a use record relating to the issue of the asset.

Such features are well-known and are found, for example, in D2-D6. Thus independent claims 1, 8 and 15 do not involve an inventive step over D1 alone or in combination with any one of D2 to D6.

Claims 2, 10 and 16

D1 discloses initiating the matching process only when the time difference between returning the message to the capture apparatus and receiving of the encoded captured biometric occurs within a predetermined time interval. See page 10, line 29 - page 11, line 1 of D1.

Thus claims 2, 10 and 16 do not involve an inventive step over D1 alone or in combination with any one of D2-D6.

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**Supplemental Box II**

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

Claims 5-7, 12-14 and 22-23

Documents D2-D6 either disclose, or fairly suggest, the well-known features of securely attaching to or printing directly onto the asset a unique identifier, such as a barcode or RFID. Each of these documents relates to an asset comprising one or more of pharmaceutical preparations, firearms or legal documents.

Thus claims 5-7, 12-14 and 22-23 do not involve an inventive step over D1 alone or in combination with any one of D2-D6.

Claims 9 and 17

D6 discloses identifying both the issuer and receiver of the asset and the addition of this feature to any one of D2 to D6 is a mere workshop variation.

Thus claims 9 and 17 do not involve an inventive step over D1 alone or in combination with any one of D2-D6.

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